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A HISTORY OF THE DELIBERATE INTERFERENCE WITH THE FLOW OF MAIL: THE CASES OF THE SOVIET UNION AND THE PEOPLE'S REPUBLIC OF CHINA

A REPORT

PREPARED BY

REPRESENTATIVE BENJAMIN A. GILMAN

FOR THE

COMMITTEE ON
POST OFFICE AND CIVIL SERVICE
HOUSE OF REPRESENTATIVES

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LETTER OF TRANSMITTAL

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 25, 1989.

Hon. WILLIAM D. FORD,
Chairman, Post Office and Civil Service Committee, Cannon House Office Building, Washington, DC.

DEAR BILL: I am submitting herewith our report entitled, "A History of the Deliberate Interference with the Flow of Mail: The Cases of the Soviet Union and the People's Republic of China." This report is the result of hearings conducted on this issue by the Subcommittee on Investigations during 1978, 1979, 1983, and during 1984, 1986, and 1988 by the Subcommittee on Postal Operations and Services.

I respectfully request that this report and its appendix be printed for the use of the Committee on Post Office and Civil Service.

With best wishes,

Sincerely,

BENJAMIN A. GILMAN,
Member of Congress.

PREFACE

This report was initially prepared in 1985 for the Committee on Post Office and Civil Service of the House of Representatives by Representative Benjamin Gilman (NY). It has been updated with statistics covering the period from 1985 to August 1989. It has also been expanded to include allegations about mail interruption in the People's Republic of China.

With the advent of the Universal Postal Union Congress in Washington, DC, this fall, the time is ripe to reexamine this long existing problem. Mail interruption is a violation of human rights. Despite efforts of the U.S. Congress and international organizations, this obstacle to freedom of postal communication still persists.

A HISTORY OF THE DELIBERATE INTERFERENCE WITH THE FLOW OF MAIL: THE CASES OF THE SOVIET UNION AND THE PEOPLE'S REPUBLIC OF CHINA

INTRODUCTION

Each year, thousands of postal items, including private communications, packages, vyzovs (invitations to join family members abroad), and cultural materials, are sent to citizens of the Soviet Union from the United States. A significant number of these items have either disappeared or were opened, inspected, and/or confiscated by officials of the Soviet Union, without the proper notification given to mailers about the interruption of their mail service and reasons thereof as required by international postal covenants.

As a consequence, a number of constituent complaints, expressing their concern over the failure of postal officials of the Soviet Union to ensure uninterrupted delivery of U.S. mail to citizens of the Union of Soviet Socialist Republics, has been received in congressional offices. The House Committee on Post Office and Civil Service conducted hearings on this issue in 1978, 1979, 1983, 1984, 1986, and 1988. As a result, the committee was provided with firm documentation on, and significant insight into, the extent of the Soviet Union's deliberate mail interference, in contravention of international postal covenants and other international agreements to which it is a signatory, of the flow of mail not only to the Soviet Jewish community in general, but also to activists, to members of other ethnic communities, to scientists and to artists within the Soviet Union.

The Conference on Security and Cooperation in Europe (CSCE) in Vienna Follow-Up meeting, which concluded January (1989), adopted language concerning postal communications. Paragraph 29 of *A Framework for Europe's Future, Selected Documents*, Number 35 stated:

> In accordance with the Universal Postal Convention and the International Telecommunication Convention, they (the participating States) will
>
> guarantee the freedom of transit postal communication;
>
> ensure the rapid and unhindered delivery of correspondence, including personal mail and parcels; and
>
> respect the privacy and integrity of postal and telephone communications.

While information available to the U.S. Congress indicates that an effort by authorities in the U.S.S.R. is being made to conform with these principles, it is, however, unclear how serious that initiative is.

Rate of Delivery

According to Freedom of Communication, a nonprofit organization dedicated to improving opportunities for contact between people living in the U.S.S.R. and people in the West, the delivery of personal letters from the U.S. to the U.S.S.R. has slightly improved. In one of their reports they stated:

> If we approach this issue from the narrow angle of the number of delivered and nondelivered letters, this is the picture we get. In 1988, 89.3 percent of all letters mailed from the United States to the Soviet Union and vice versa were delivered (the breakdown is 87.9 percent of letters from the U.S. to addressees in the USSR, and 90.1 percent of letters from the USSR to addressees in the U.S.). In other words, 10.7 percent of all letters were not delivered. The data we obtained from similar surveys in1986–87 indicated a non-delivery rate of 11.9 percent, and the data for 1985 a non-delivery rate of 12.1 percent. On the other hand, in 1984, the last year before perestroika (when Chernenko was in power), the non-delivery rate was 10.8 percent. In other words, in 1988, the fourth year of perestroika, the delivery of private letters from the Soviet Union to foreign countries and vice versa reached, and very slightly exceeded, the pre-perestroika level * * *
>
> Yet the beginning of 1988 boded well. In the first half of the year, we had the following data on the delivery of letters: only 9.6 percent of all letters were not delivered. On the other hand, data for the second half of the year showed a non-delivery rate of 13.1 percent, an all-time high for "perestroika," the closest to Andropov's 1983 when non-delivery was at 15 percent." (In addition, see attached report from the Houston Action for Soviet Jewry.)

Censorship and Delays

In addition to the actual delivery of mail, delivery delays are still problematic. A major factor behind these delays is the censorship of mail. A Freedom of Communication report states:

> Censorship of foreign mail remains a serious problem in the Soviet Union. It is not only a violation of the privacy of correspondence but also a cause of interminable delays of mail.
>
> In 1988, the average time between mailing and delivery of letters from the USSR has been 16.6 days. In the second half of the year, the figure has risen to 16.9 days (as opposed to 16.3 in the first half of the year, and 17.2 in 1987). Letters from the U.S. to the USSR were delivered in 1988 in an average of 24.7 days (as compared to 32.7, calculated on the basis of a small sample of 71 letters in 1987). As of August, 1989, Freedom of Communication had traced 233 pieces of mail from the Soviet Union to the United States. The average delay in delivery has been 19.3 days.

Customs Regulations

The written content of letters is not the only material subject to questionable processes. Packages sent to the U.S.S.R. are routinely returned to sender for no apparent reason or without any explanation given. Recently, Soviet officials have been forthcoming in making available a new list of customs duty rates. However, attempts to clarify customs regulation revision have not been fruitful. In November 1988, the President of Freedom of Communications, Vladlen Pavlenkov, wrote to V. G. Draganov, Deputy Director, U.S.S.R. Chief Customs Control Agency, requesting clarification concerning new customs regulations (see attached letters from Freedom of Communications).

Allegation of Noncompliance With Implementation of the Helsinki Final Act

Since 1970, members of the House and Senate have been receiving a substantial volume of constituent complaints from the American Jewish community, from other religious and ethnic groups, and scientific and professional organizations, regarding: (1) the failure of postal officials of the Soviet Union to ensure uninterrupted delivery of United States mail to the citizens of the Union of Soviet Socialist Republics, and (2) the failure by the Soviets to notify the sender of the interruption of service or nondelivery and reasons therefore. Indeed, at the current time, through the oversight investigation that has been undertaken by the House Post Office and Civil Service Committee, the committee has accumulated over 2,800 pieces of evidence that support these charges.

The Final Act of the Conference on Security and Cooperation in Europe (Helsinki, 1975) sets forth a number of provisions which speak to the issue of interference with the flow of letters and packages between citizens of the signatory States. Specifically, the Preamble of Basket III states that the Conference's participants have adopted the Final Act's provisions:

> Conscious that increased * * * contacts between people * * * will contribute to the attainment of these aims. (i.e., to the strenthening of peace and understanding among people and to the spiritual enrichment of the human personality without distinction as to race, sex, language and religion.)

In a clause dealing with human contact, the Final Act also states:

> The participating States * * * make it their aim to facilitate * * * contacts, individually * * * among persons * * * of the participating States, and to contribute to the solution of the humanitarian problems that arise in this connection.

Moreover, the signatories pledged to abide by previously concluded international agreements, such as the Universal Postal Union Convention and the Constitution of the Universal Postal Union.

Principle X, of the Final Act, concerning "Fulfillment in good faith of obligations under international law," provides:

> The participating States will fulfill in good faith their obligations under international law, both those obligations arising from generally recognized principles and rules of international law and those obligations arising from treaties or other agreement in conformity with the international law to which they are parties.

The declarations of intent contained in Basket I and Basket III have in no way been fulfilled with regard to the Jewish minority in the Soviet Union. Human contacts with people in other countries have not been facilitated; on the contrary, serious obstacles have been placed in the way of such contracts. Some of these impediments appear in the form of measures of general application, although they seriously affect the Soviet Jews in particular, giving rise to the suspicion that they were introduced for this very purpose. Others are practices applied to Jews in an arbitrary and discriminatory manner. These new obstacles indicate an effort on the part of the Soviet authorities to isolate the Jewish community in general, and the "activists" in particular, from any contact with the outside world by the deliberate interruption of U.S. mail postmarked for Jewish citizens in the U.S.S.R.

Every year, thousands of postal items, including private communications, packages, vyzovs (invitations to join family members abroad), and cultural materials, are sent to Soviet Jews from the United States of America. A large proportion of these items either disappear or are opened, inspected, and/or confiscated by postal officials of the Soviet Union, constituting a direct, illegal interference with the freedom of communications realized here through the international postal system.

Helsinki Final Act

While the matter of uninterrupted postal communication is not dealt with explicitly in the Final Act, the spirit of the convention adopted by the signatories is not difficult to discern. As the Guardian (London) commented on February 10, 1976:

> The right of private citizens to receive letters through the post may have been thought too elementary for inclusion in the famous Helsinki Final Act. However, the denial of this right is inconsistent with the general principles of free contact and certainly with the spirit of the Final Act.

In an indirect way, however, interference with international mail is covered by the Final Act. Such interference is a violation of the Universal Postal Convention to which the U.S.S.R. is a party. This in turn, constitutes a violation of Principle X of the Final Act regarding "Fulfillment in good faith of obligations under international law" which provides:

> The participating States will fulfill in good faith their obligations under international law, both those obligations arising from the generally recognized principles and rules of international law and those obligations arising from treaties or other agreements, in conformity with international law, to which they are parties.

There is also a second connection between interference with mail and the Final Act. Reference has been made above to the fact that letters containing vyzovs frequently disappear. This necessitates repetition of such invitations for family reunification often five or six times, sometimes causing delays of one year. In other instances the invitations are not delivered to the relatives in the U.S.S.R. but are handed over to the OVIR (Office of Visa Processing) to which the addressee is then summoned. These practices cause serious delay in the reunification of families and great hardship and anguish to family members expecting a vyzov and are, therefore, inconsistent with the general commitment undertaken at Helsinki in subsection 1(b) of Basket Three on "Reunification of Families" to

> * * * deal in a positive and humanitarian spirit with the application of persons who wish to be reunited with members of their family.

and further that:

> Until members of the same family are reunited, meetings and contacts between them may take place in accordance with the modalities for contacts on the basis of family ties.

Moreover, because the subchapter "Contacts * * * on the basis of family ties" provides for facilitating family visits, family correspondence should a fortiori receive the same treatment.

Lastly, it is not irrelevant that the interruption of U.S. mail violates also the Constitution and laws of the U.S.S.R., Article 128 of the Constitution of the Soviet Union, guaranteeing protection of privacy of correspondence; and the criminal legislation of all the Republics of the Soviet Union which establish criminal responsibility for such violations of privacy of correspondence (e.g., Article 135 of the Criminal Code of the Russian Soviet Federative Socialist Republic).

Mr. Alexander Sukharev, U.S.S.R. First Deputy Minister of Justice, explained in an interview published in Literatunaya gazeta (October 27, 1976) that interference with mail and with its privacy is permissible only as part of criminal proceedings. This is what the Minister said in response to a question about the legal norms regulating the search and seizure of correspondence:

> The search and seizure of postal and telegraphic correspondence are investigatory actions, which means that this can be done only after criminal proceedings have been instituted. A search is carried out only on the basis of a motivated decision by an investigator and only with the sanction of a procurator. Correspondence can be held up and seized in postal and telegraphic offices with sanction of the procurator or by the judgment and also the decision of a court.

Quite clearly, these legal rules have remained paper guarantees which have not been complied with.

The issue of interference with mail has also been raised in the British Parliament, following the loss of numerous registered letters sent by British citizens to Jews in the U.S.S.R. In reply, Mr.

Roy Hattersley, then Minister of State for Foreign Affairs, declared on February 22, 1976, that while "under the terms of the Universal Postal Convention the Soviet authorities could confiscate without compensation postal articles whose importation and circulation is prohibited within the Soviet Union, they are required by the Convention to notify the originating Post Office if any article is not delivered or returned to the sender. Her Majesty's Government deplores any interference with freedom of communication, particularly in view of the Final Act of the Conference on Security and Cooperation in Europe." (*Hansard,* House of Commons, February 12, 1976, col. 310)

Universal Postal Union

The United States, the Soviet Union, and more than 160 countries and territories are signatories to the 1984 Convention of the Universal Postal Union (UPU) establishing common rules applicable to the international postal service.

Situated in Bern, Switzerland, the Universal Postal Union is one of the oldest intergovernmental organizations in existence. It was established in 1874 by the Bern Treaty. This treaty was the forerunner of the modern multilateral convention governing the international postal service. The latest convention is the Hamburg Convention of 1984 which entered into effect in 1986. Under an agreement concluded between the United Nations and the UPU in 1947, the UPU became a specialized agency of the United Nations.

The basic Act of the Union is the Constitution, the conditions governing the application of which are specified in General Regulation. Certain common rules applicable to the international postal service and the provisions governing letter-post services are contained in a Convention supplemented by detailed regulations. Those agreements are binding on the more than 160 member countries and territories.

The Universal Postal Convention fixes the rates, the weight and size limits, and the conditions of acceptance of five categories of items: letters, postcards, printed matter, literature in raised relief for the blind, and small packets. In addition the Convention provides for registry, advice of delivery, and delivery to the addressee in persons services, and for postal administration liability for the loss of an item when it cannot prove delivery to the addressee. The aim of these services is to provide the mailer with a highly secure and reliable delivery service, and also to provide the means of holding administrations accountable when they fail to provide that service.

Helsinki Final Act signatories agreed to abide by international law and international agreements to which they are a party, including, by inference, the Universal Postal Convention and the Constitution of the Universal Postal Union.

With regard to Soviet interference with mail addressed to Jewish activists, it is relevant to note certain provisions of those international agreements.

Article 1 of the Constitution clearly aims at promoting international cooperation.

To develop secure and reliable delivery services:

ARTICLE 1: SCOPE AND OBJECTIVES OF THE UNION

1. The aim of the Union is to secure the organization and improvement of the postal services and to promote in this sphere the development of international collaboration.

Regarding ownership of postal items and respect for the security of legitimate correspondence between individuals in different countries, the Convention is also clear and explicit:

ARTICLE 5: OWNERSHIP OF POSTAL ITEMS

A postal item shall remain the property of the sender until it is delivered to the rightful owner, except when the item has been seized in pursuance of the legislation of the country of destination.

There is no practical way to enforce prescribed international standards of mail delivery, unless signatories to the UPU Convention morally adhere to the Constitution, the General Regulations, and the Convention and its Detailed Regulations, for despite its impressive credentials, the UPU has no capability of enforcement. It is essentially powerless.

All member States sign the general agreements as sovereign nations with the UPU acting only as an office of liaison between the different States. The UPU cannot and does not act as a policeman to survey the application of the agreement by member nations. The enforcement of the agreements is the sovereign right of the member States, and the UPU can only mediate upon the request of both parties to a dispute.

The UPU agreements contain stipulations as to what items cannot be sent through the mail. The list of prohibited articles include: explosives, flammables, other dangerous substances, obscene or immoral articles, and narcotics. There is one final prohibition: "Articles of which the importation and circulation is prohibited in the country of destination." This final prohibition is in fact a loophole that provides each country with a sovereign right to decide according to its own laws what shall and shall not be permitted to enter the country.

As a consequence, you may have such vague descriptions as "subversive literature" and "communications which are against the interest of the State," contained in the State's list of prohibited articles. The interpretation of these restrictions and their application is totally up to the receiving or sending nation even though no such proscription is listed in the UPU.

In addition, these standards can be changed from day to day. The country only need notify the UPU which in turn notifies the public. The change can occur whenever the country wishes to alter the standards.

Congress, the Executive Council, the Consultative Council for Postal Studies (CCPS), and the International Bureau are the main bodies of the Union. Congress, the supreme authority of the Union, is convened in principle every five years to study and to revise as necessary the Acts of the Union.

History of United States-Union of Soviet Socialist Republics' International Mail Service (1970–1989)

Complaints about the discriminatory practices of Soviet postal officials date back to the early 1970s at a time when the United States and the U.S.S.R. were parties to a "bulk billing" arrangement. Under that agreement signed in 1970, registered mail would be exchanged without listing each piece of mail. Liability for any loss would be assumed by the country where the registered item originated. This "bulk billing" made it easier for the Soviets to interrupt mail service without any concern for accountability.

Early in 1972, international mailing houses and representatives of the Greater New York Conference on Soviet Jewry advised the USPS of an increase in complaints from the American Jewish community that their mail to Soviet Jews was not being delivered and that the Soviet postal administration was not responding to their inquiries about that mail. The Jewish community also agreed to provide documentation so that a formal request for an inquiry could be lodged with Soviet officials. Additional complaints very soon arrived from 24 different countries and Polish, Christian, Latvian, Lithuanian, Ukranian, Estonian, and other ethnic and religious groups within the United States.

Due to repeated failure of the Soviet Union to respond to inquiries of the U.S. Postal Service concerning U.S. mail addressed to Soviet citizens, the U.S. Postal Service on September 19, 1972, advised the Russian postal authorities by cable that the "bulk billing" agreement was terminated as of October 14, and thereafter it would begin a descriptive listing of all registered items that would require the Soviets to indicate whether a particular item was: (1) properly delivered; (2) returned to sender; (3) seized; or (4) loss admitted and liability assumed. On September 22, Soviet postal authorities cabled a reply vigorously denying the Postal Service's implications that Russian Jews were subject to discriminatory mail service. However, the Soviet Union did accept the return to the descriptive listing of registers.

The United States Postal Service has categorized the numerous complaints it receives about mail service with the Soviet Union into the following five groups:

1. The Soviet Union returns mail which the sender in the United States for one reason or another believes could and should have been delivered.
2. Soviet authorities seize mail, and mailers subsequently claim the contents of this mail are not in violation of any known or published prohibition.
3. The sender contends that he has reason to believe mail was not delivered, despite the Soviet Union's report that it was delivered.
4. Mailers in the United States complain that "advice of delivery" forms are returned without being properly completed; that is, they are unsigned or bear the signature of someone other than the addressee in the block of the form reserved for the addressee's signature.
5. Mailers complain about the length of time it takes to get a response to any inquiry.

The following tabulation of volume of mail to the Soviet Union was furnished by the Postal Service covering the period from 1976 to August 1987.

MAIL TO SOVIET UNION

	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987
Registered volume	67,192	62,287	.....	68,335	57,292	54,617	52,470	53,575	49,025	47,335	55,193	78,632
Total Form 542 inquiries	2,936	2,859	2,302	1,119	746	799	754	945	682	1,235	1,278	1,126
Indemnity claims paid	1,046	592	.....	138	131	130	146	47	89	113	13	61
U.S.S.R. claims delivery	847	945	.....	830	658	412	395	547	274	911	765	483
U.S.S.R. advises seizure	286	512	.....	169	69	94	104	59	20	18	14	6
Items returned to sender	520	230	.....	212	64	43	56	35	13	63	26	6
Headquarters inquiries					291	168	145	143	36	24	31	41

It should be noted that this table does not report all of the interrupted mail in the categories it outlines.

Unfortunately, the vast majority of Soviet mail interruption cases are not reported. This is due, in part, to a lack of proper victim response. In addition, a concomitant need for streamlined data collection and public information concerning the need and means of an accurate reporting procedure has compounded the problem. (See, U.S.S.R. Return Parcel Survey.)

This statistical dimension of the mail interruption problem establishes the magnitude of Soviet policy and practice and the all too numerous instances in which targeted groups of Soviet citizens are denied a widely recognized right to communication with family, professional colleagues, and other American citizens concerned about the basic welfare of those in the U.S.S.R. whom the Soviets have decided, for whatever reasons, shall be denied this basic human right.

Accordingly, Congressman Gilman pursued this matter in Belgrade at the 1977 initial review conference of the 1975 Final Act Conference in Helsinki; in Madrid at the 1980 Helsinki review conference; in Rio de Janerio in 1979 during the 18th Congress of the Universal Postal Union and in Hamburg, in 1984 during its 19th Congress.

The next Universal Postal Union Congress will be held in Washington, DC, in November 1989. Congressman Gilman intends to pursue this matter, as well as the developing problem of mail interruption in the People's Republic of China, in that forum.

Mail Interruption in the People's Republic of China

The problem of mail interruption, unfortunately, is not confined only to the Soviet Union. Citizens of the United States and visiting Chinese students have been experiencing difficulty in contacting friends and relatives in the People's Republic of China. In addition, there is clear evidence of abuse in Chinese occupied Tibet. These abuses included censorship, threats, harassment, and coercion (see attached testimony of Tibetan refugees). Clearly this committee must call for increased international pressure on the government of the People's Republic of China at the same time as it is doing so with the Soviet Union.

Final Act of the Conference on Security and Cooperation Review Conference, Belgrade Conference, 1977

The participating States at the 1975 Final Act Conference in Helsinki agreed to a series of follow-up meetings, the purpose of which was to review implementation of the Helsinki Final Act. At the initial review conference in Belgrade in 1977, Congressman Gilman, a member of the congressional delegation attending the Conference, presented to the Soviet delegation a brief contending that Soviet mail interruption constituted noncompliance with the Helsinki Final Act.

In Belgrade, he had the opportunity to exchange views on this matter with numerous delegations attending the Helsinki conference. During the course of a meeting between the U.S. congressional delegation and the U.S.S.R. delegation, Congressman Gilman was able to discuss with Ambassador Yuli Vorontsov, head of the Soviet delegation, his formal charges of noncompliance. Mr. Vorontsov accepted the Congressman's brief with a promise to pursue these allegations with the appropriate Soviet officials. No formal response from Mr. Vorontsov was ever received by the Congressman.

In addition to the presentation to the Soviet delegation, Congressman Gilman also submitted his brief to the American delegation, led by Ambassador Arthur Goldberg.

It was Congressman Gilman's opinion, as well as that of the American delegation, that the interruption of international mail by the Soviet Union constituted an issue of noncompliance with the Final Act and warranted review by the Belgrade Conference. Accordingly, on the first day of closed meetings, U.S. delegate Joyce Hughes, a Northwestern University law professor, while addressing the plenary session, charged that the Communist barrier to the free exchange of letters and publications represented a continuing pattern of disrespect for the 1975 Helsinki Accords.

Drawing from the Congressman's brief, Ms. Hughes remarked:

In Principle X, we have agreed that all participating states "will fulfill in good faith their obligations under international law." That commitment is closely bound to the preceding principle on cooperation among States. The rules we live by at home and abroad order our daily existence and secure our prospects of improving it.

In one area the United States sees with deep regret a continuing pattern of disrespect for the pledges we have all made. For example, in some signatory States, ordinary and registered mail is improperly handled.

When letters do not pass freely between members of the same family some living in one country and some in another—the process of family reunification is obstructed, not facilitated. When a publisher in New York cannot correspond directly with a literary adviser or author in Moscow, "contacts and cooperation among persons active in the field of culture" are frustrated, not increased. And, when an American friend is unable to obtain delivery of a subscription to the National Geographic Magazine for a Soviet schoolboy or a copy of the World Almanac for a teacher in Czechoslovakia, the flow of information is choked, not widened. These are not hypothetical incidents. These are actual cases. These are facts

and we intend to address them forthrightly and with candor and straight talk.

The conduct just described runs contrary to Principle IX and also to the basic obligations the Soviet Union has undertaken as a signatory to the Universal Postal Convention. Such actions conflict with the broad pledge of Principle X to fulfill obligations under international covenants, as well as provisions elsewhere in the Final Act.

Conference on Security and Cooperation in Europe, Madrid, Spain, 1980

Under the auspices of the Joint Legislative Commission on Security and Cooperation in Europe that was established to monitor the implementation of the Helsinki Final Act by participating States, Congressman Gilman was appointed as a congressional member of the American delegation to the 1977 Belgrade review conference on the implementation of the Helsinki Final Act. In Belgrade, as was stated earlier, Congressman Gilman presented to the conference a brief alleging noncompliance by the Union of Soviet Socialist Republics (U.S.S.R.) to the Helsinki Final Act because of the Soviet interruption of international postal communications.

During his presentation to the 1980 Madrid review conference on the implementation of the Helsinki Final Act, Congressman Gilman charged that the U.S.S.R. was continuing to interrupt U.S. mail to its citizens of the Union of Soviet Socialist Republics and was continuing its policy of failing to notify the sender of nondelivery and the reasons therefore.

Those charges of continued noncompliance were not without abundant substantiation. As with the Congressman's 1977 presentation, he included with his Madrid report actual documentation from individuals illustrating the various techniques employed by the Soviets in their mail interruption scheme.

Such problems were further documented in 1978, 1979, 1983, and 1984, during six congressional hearings at which representatives of the Jewish community, other religious and ethnic groups, and scientific and professional organizations outlined specific charges against the Soviet Union concerning its deliberate undertaking to impede, intercept and otherwise interrupt the flow of mail from these organizations and individuals to citizens in the Soviet Union.

Indeed, the charges stemming from the hearings held during 1978 through 1979 led Congressman Gilman to introduce legislation in which the United States Congress strongly denounced the Soviets' practices and urged a cessation of mail interruption activities. This legislation passed both houses of Congress by unanimous vote in 1979.

In spite of such action and the continued legitimate efforts of individuals in the United States to correspond with citizens of the U.S.S.R., the Soviet Union adhered to its deliberate policy of mail interruption.

XVIII Congress of the Universal Postal Union in Rio De Janeiro, 1979

The UPU Congress met in October 1979 in Rio De Janeiro, Brazil. At that meeting of the Congress, the U.S. delegation submitted several proposals to amend UPU Convention provisions relating to States' reporting of prohibited items and to States' notification of and explanation for the seizure of mail.

Of the USPS proposals considered by the Universal Postal Union Congress, the following action was taken on amendments concerning prohibited items and notification:

1. A proposal that the UPU recognize only those domestic prohibitions reported to the UPU and published in the UPU List of Prohibited Items was defeated. Countries voting against the amendment apparently accepted arguments:

A. that customs regulations change constantly and that it is not reasonable to expect the UPU List of Prohibited Items to be kept completely current, and

B. that postal administrations may be of assistance to mailers who seek information about prohibitions in other countries, but that postal administrations may not be responsible for providing such information, as it is the responsibility of the sender to obtain this information from the destination administration.

2. A proposal to require the destination administration to notify the origination administration promptly of the seizure of mail and to report the specific prohibition requiring seizure was divided into two parts, with the requirement for prompt notification approved, and the requirement to report the specific prohibition defeated.

Opponents appeared to accept arguments:

A. that institutions other than postal administration seize mail and may refuse to give detailed explanations, and

B. that postal administrations cannot be responsible for the actions of customs authorities and cannot be liable for indemnity payments claimed by the sender of a registered item when the item has been seized by such authorities.

XIX Congress of the Universal Postal Union in Hamburg, 1984

The outcome of the Belgrade, Madrid and Rio de Janeiro meetings made it imperative to develop and pursue new avenues of approach to resolve the problem. Accordingly, Congressman Gilman and the House Post Office and Civil Service Committee continued to collect evidence of mail interruption during both the 97th and 98th Congresses and documented this material at three hearings conducted by the House Subcommittee on Postal Operations and Services, chaired by Congressman Robert Garcia. As a result of these efforts, specific recurring violations were identified which could form the basis of a coordinated and concerted plan of action.

With the interruption or "kill" rate running as high as 50–80 percent it was obvious that initiatives had to be geared to these specific concrete and pragmatic matters.

The importance of obtaining a clear and concise understanding of what constituted a prohibited item and why packages were seized, was underscored frequently during the hearings. Equally as

important were the issues that priority be given to obtaining the actual signature of the addressee on the "advice of delivery form" on all registered mail, and that the addressee's signature be obtained by postal authorities in instances when an inquiry is filed regarding failure of delivery. In addition, the need to obtain the signature of the individual to whom the article of mail is addressed was a particular point of concern.

In response to these concerns, Congressman Gilman introduced House Concurrent Resolution 294, legislation urging the President to take up the subject of Soviet interception of international mail with Soviet authorities and calling on the U.S. Postal Service delegation to an upcoming Universal Postal Union Convention to bring that issue before the 167 member nations which are members.

In addition, and most importantly, Congressman Gilman proposed to our UPU delegates that the following resolutions be offered by the U.S. at the Universal Postal Union Congress:

AMENDMENTS ADOPTED

1. All countries should publish lists of prohibited items in clear and concise language.
2. Calls upon all countries to list reasons for seizures of any packages and to describe all offending items.
3. Provides that priority be given to obtaining the actual signature of the addressee on the "Advice of Delivery Form" on all registered mail.
4. Provides that the addressee's signature be obtained by postal authorities in instances when an inquiry is filed regarding failure of delivery.
5. Provides that when delivery of mail is specified to an individual, that individual's signature must be obtained.

At Hamburg, Congressman Gilman presented the findings of the subcommittee's investigation and urged all members of the UPU Congress to place politics aside and to vote their conscience.

On the same day Postmaster General Bolger also implored the delegates of the Congress to take action on this matter and protect the most basic human right of mankind—communication.

As a result of the well coordinated and concerted action of the U.S. team, i.e. Postmaster General Bolger, Assistant Postmaster General Duka and USPS International Relations Officer Michael Regan, all five of the resolutions were adopted by the UPU Congress despite heavy opposition on the part of the Soviet Union. A direct outcome of this victory for the free world and the sacrosanctity of the concept of the free flow of information, was a hostile provocatory condemnation of Congressman Gilman and the House of Representatives, by the delegates of the U.S.S.R., the Ukraine, and Byelorussia.

The U.S. delegation to the UPU Congress promptly responded by issuing a statement.

Consideration by the North Atlantic Assembly

On November 12 and 13, 1984 in Brussels, Belgium, Congressman Robert Garcia, Chairman of the North Atlantic Assembly (NAA) Committee on Civilian Affairs, discussed the problem of the Soviet

Union's disruption of mail service for the West at plenary session of the NAA.

The Civilian Affairs Committee is concerned with, among other things, human rights and the free flow of information. The Congressman characterized the Soviet disruption of mail service as a violation of both human rights and the free flow of information.

The Civilian Affairs Committee publishes a quarterly human rights bulletin entitled, "the Bulletin," which reports "on the developments relative to the humanitarian provisions of the Final Act on the Conference on Security and Cooperation in Europe." In its 1984 April to June issue, #32, the Bulletin contained a brief synopsis of the Subcommittee on Postal Operations and Services' investigation of this issue. The Bulletin said the Soviet Union's interference was in violation of the Helsinki Final Act. It also described H. Con. Res. 294, passed by the House, condemning these violations.

Representative Garcia closed the meeting of the Civilian Affairs Committee by asking that this issue be put on the agenda of the Committee. Committee members agreed that this issue should be investigated further.

Developments Concerning Dr. Andrei Sakharov

On March 18, 1986, the Subcommittee on Human Rights and International Organizations of the Committee on Foreign Affairs and the Subcommittee on Investigations of the Committee on Post Office and Civil Service, House of Representatives held a joint hearing on developments concerning Dr. Andrei Sakharov.

During Dr. Sakharov's and his wife's, Dr. Yelena Bonner, exile to Gorky, communication with them had been severely limited. Letters publicized in the U.S. media documented the fact that Dr. Sakharov had waged a series of hunger strikes since 1984 to protest the Soviet Government's refusal to let his wife travel abroad for medical treatment.

Between May 1984 and September 1985 Dr. Sakharov spent 10 months in a hospital subjected to excruciating forced feeding, which induced heart attacks. These facts were carefully hidden by the Soviet's disinformation campaign. The subcommittees examined these deceptive efforts—in particular Ms. Bonner's 21st postcard in April 1985.

During the spring of 1985 conflicting reports were coming out of Gorky. On May 16th, a handwritten note by Sakharov announcing his renewed hunger strike was reported by the Associated Press. Yet, a few weeks later, a friend received a telegram from Dr. Bonner indicating all was well. Subsequently, a postcard from Dr. Bonner was received by her family in the United States. At that time Dr. Sakharov had reportedly begun his strike. Her correspondence about the weather and holiday gifts contradicted these reports. Closer examination caused her family to suspect some tampering with the mail. The subcommittees took a closer look at that mail supposedly written April 21st, the very day that Dr. Sakharov was hospitalized and forced feeding was initiated.

The implications are significant. The Soviets fed information abroad that covered up the true fact that Dr. Sakharov was tortu-

ously held with this nose clamped while broth was poured down into his mouth. During these hospitalizations—a total of three, lasting an accumulated 10 months—Dr. Bonner had no news at all from her husband. The Soviet authorities obviously attempted to fabricate reality.

Handwriting experts and the FBI were consulted and a clear cut case of forgery has been established. [See graphoanalyst and FBI report. Also see H. Con. Res. 384, legislation expressing the sense of the Congress concerning the Soviet Union's continued interference with postal communications between the United States and the Soviet Union.]

KGB Involvement

Of the over 100 groups that the committee investigators talked with there was a widespread belief on the part of all parties that the KGB, the Soviet Secret Police, was involved in the mail interruption efforts, not only in Russia but in all satellite nations of the Soviet Union. Indeed, there were no witnesses who when questioned believed anyone other than the KGB was responsible for the high rates of interception and loss of the international mails.

Conclusion

It appears that little progress is being made regarding Soviet interruption of the mail. Unfortunately, there are constraints and inconsistencies. After extensive study, there is an uncertainty about just how substantive are the intended reforms.

Despite the limited progress that has been made regarding violations by the Soviet Union, we now face the growing problem of violations by the People's Republic of China. As a result, these problems will not be resolved unless continued pressure is brought to bear on both of these nations. Unfortunately, short of moral persuasion, there exists little or no mechanism to enforce prescribed international postal standards.

Recommendations

The following actions are recommended:

1. That the House Committee on Post Office and Civil Service continue its formal inquiry and oversight of the Soviet Union's deliberate interference with the flow of international mail.

2. That the Committee on Post Office and Civil Service begin a formal inquiry and oversight into the People's Republic of China's deliberate interference with the flow of international mail.

3. That the Committee on Post Office and Civil Service continue to work closely with the United States Postal Service in monitoring the implementation of the adopted UPU resolutions that were designed to curtail Soviet mail interference.

4. That the Committee on Post Office and Civil Service work closely with the U.S. Postal Service in designing resolutions to be submitted at the UPU Congress in Washington, DC, this fall. These should include:

a. a resolution to require notice of reasons for the return of wrongly admitted items;

b. a resolution to clarify that delivery receipts for restricted delivery registered items are not to be signed by postal officials—they are to be signed by the addressee or addressee's representative; and

c. a resolution that requires confirmation of delivery by the administration of destination in the event of a claim that an item has not been received.

5. The U.S. Postal Service should strictly observe the time limits for compensation refunds stipulated by the Universal Postal Union Convention and the Universal Postal Parcels Agreement for nondelivered registered and insured postal items.

APPENDIX

Houston Action for Soviet Jewry

6006 Bellaire Blvd. • Houston, TX. 77081
• (713) 666-3446

December 1988

RESULTS OF THE 1988 SURVEY OF SOVIET MAIL INTERFERENCE

Houston Action for Soviet Jewry has conducted four annual surveys of its Refusenik Adopters, in order to determine the extent of Soviet governmental interference with Refuseniks' mail. We have obtained the following results:

In 1985, Adopters sent 60 letters to Refuseniks, to which they received 17 replies or return receipts (pink cards), for a 28% reply rate.

In 1986, ten of 70 Adopters received replies or pink cards, or 14%.

In 1987, nine out of 93 Adopters received replies or pink cards, or 10%.

In 1988, ten of 71 Adopters received replies or pink cards, or about 14%.

As one can see, those Refuseniks still detained in the Soviet Union continue to suffer harassment in the form of mail interference by the Soviet authorities, notwithstanding the improved emigration figures during the past year.

The following are some of the other problems our membership continues to encounter in attempting to correspond with their Refusenik families:

1. When sending letters via registered mail with return receipt, the Adopter often gets back the pink card signed by a Soviet postal clerk instead of by the addressee. This is unacceptable, because the Adopter has no proof of actual delivery of the letter; indeed, quite the reverse. We know this because Refuseniks invariably sign the card in Latin script and often add a personal message in English.

2. The usual Soviet response to tracers on registered letters filed after the 60-day waiting period is: "The foreign government maintains that the letter was delivered to the proper person." Such a response enables the Soviets to avoid paying an indemnity for non-delivery of the letter. We suspect that in most cases this reply is simply not true. Several Adopters have learned from personal visits or telephone calls that in fact the Refusenik never received any letters from them, notwithstanding the positive Soviet responses to tracers.

3. It is clear also that regular air-mail letters usually don't get delivered, at least to those Refuseniks not allowed to receive mail. Many Houston Action members have sent regular air-mail letters to Refuseniks over an extended period of time, and have never received a reply. This may indicate as well Soviet interference with outgoing mail from Refuseniks.

II. PACKAGES

Houston Action for Soviet Jewry has mounted a program of sending packages several times a year to needy Refusenik families. Here our results have been somewhat better than with letters, but still far from satisfactory.

1. In 1986 we sent six packages to two families and received only two return receipts, signed by Soviet postal clerks.

2. In 1987 we sent 13 packages to five families. We received two pink cards signed by the Refusenik and three signed by a Soviet postal clerk. Two packages were returned to us, stamped "Parti" or "goods not allowed." To four packages we got no response whatever. In two cases we filed tracers and received the reply "parcel delivered to the proper person" to one, and to the other, indemnity for the loss.

3. In 1988 Houston Action sent six packages to five Refusenik families. In one case the package was received, as proved by a telephone call. A phone call also established that another Refusenik had not received his package, notwithstanding that we had received a return receipt, although signed by a Soviet postal clerk. One package was returned on grounds of the addressee's departure. In two cases we received pink cards, but not signed by the addressee, and in one case we heard no reply whatever.

III. RECOMMENDATIONS

As in the past, we suggest that the US Postal Service protest more vigorously mail malfeasance to the Soviet authorities. So should the Department of State, since mail interference is an example of non-compliance with the Helsinki Accords.

Respectfully submitted,

Katharyn D. Reiser

Katharyn D. Reiser
Vice-President for Refusenik Communication, Houston Action for Soviet Jewry

FREEDOM OF COMMUNICATIONS

April 14, 1989

Office of Rep. Benjamin Gilman
2160 Rayburn Building
Washington, DC 20515

At your request, I enclose all materials pertinent to FC's attempts to obtain information on customs regulations revisions from Soviet officials. Mail to the USSR No. 17 contains a statement (see page 7) by V. G. Draganov, Deputy Director of the USSR Chief Customs Control Agency, in an Izvestia interview in which he unequivocally promised full disclosure and openness with regard to official rules and guidelines. The interview appeared on March 25, 1988. On April 19, I wrote a letter to Mr. Draganov (a copy of which I have unfortunately been unable to find) asking him for a copy of the new customs regulations which he stated in the interview his agency was working on. A copy of his response, with the English translation, is attached.

Mr. Draganov did not fulfil his promise (see attached translation of letter) to send me the text of the new rules. However, during my trip to Moscow later that year, I was able, after showing Mr. Draganov's letter to officials at the Chief Customs Control Agency, to obtain a copy of the new regulations from a Mr. M. I. Stankevich in the legal department of the customs agency.

Since I still had a few questions about the new regulations, I wrote to Mr. Stankevich on November 29, 1988. A copy of this letter is attached. I do not provide a translation of it since my letter to Mr. Draganov of January 20, 1989, in English, restate the same questions, with a few more added (6, 7, and 8; question 9 of the letter to Mr. Draganov is the same as question 6 of the letter to Mr. Stankevich). So far, I have received no response of any sort from either Mr. Draganov or Mr. Stankevich. Is that the glasnost and "full disclosure" that was promised?

My attempts to clarify the rules for sending medicines to the Soviet Union with Ministry of Health official Ms. O. I. Borisova have been just as futile. A copy of my November 23, 1988 letter to her is attached.

I believe that the behavior of Soviet officials in this case clearly constitutes withholding of information which should be freely available and open to the public. I hope these materials can be of use to you at the London CSCE Conference.

Please do not hesitate to contact me for any additional information you may need.

Sincerely,

Vladlen Pavlenkov

80 Grand Street Jersey City, NJ 07302 3001 Veazey Terrace NW, Suite 3129, Washington, DC 20008

FREEDOM OF COMMUNICATIONS

January 20, 1989

Mr. V. G. Draganov
Deputy Director
USSR Chief Customs Control Agency
Komsomolskaya Square, 1A
Moscow, USSR 107140

Dear Mr. Draganov:

As you may recall, I wrote to you several months ago asking for a copy of the new customs regulations which, you informed me, were then in the process of being developed. I have since received the new list of customs duty rates; however, I have a few questions concerning the changes, on which I hope you will be able to enlighten me.

1. First of all, what is meant by the term "in non-commercial amounts" (in the list of admitted items) with regard, for instance, to shoes, watches, various foodstuffs including tea and spices? Will this very vague term be replaced in the near future with more specific limits?

2. Are we to understand that all dairy and fish products (such as, for instance, powder milk and condensed milk, or canned fish) can be sent to the USSR only with permission from the Chief Veterinary Department of the USSR Gosagroprom, or does this restriction apply only to raw dairy and fish products?

3. Does the restriction on "raw products of animal origins" include honey?

4. Perhaps you would be so kind as to give me the address of the abovementioned Chief Veterinary Department, and to inform me of the procedures for receiving its permission to send foodstuffs through the mail (if permission is in fact required for the kind of foodstuffs indicated above).

5. On page 5 of the "Customs Duty Rates," there is a footnote which refers to a"standard amount of edible goods" admitted duty-free when mailed to individuals in the USSR; however, this standard amount is not defined. I would appreciate some clarification on the amount in question.

6. The new regulations contain no prohibition on the sending of used clothing to the Soviet Union, therefore I assume that such items can now be sent in parcels. However, nothing is said of duties

80 Grand Street, Jersey City, NJ 07302
201/332-7962

3001 Veazey Terrace NW, Suite 1429, Washington, DC 20008
202/362-7855

on used articles of clothing. Will they indeed be charged at the same rate as duties on similar new items, as I was told at the USSR Customs Agency? After all, as you surely know, the market value of used clothing is usually much lower.

7. While the changes in customs regulations in the USSR are generally described in the Soviet press as a reduction of customs duties, the duties on some items have apparently gone up. According to information FC has received, the duties charged on clothing for small children have risen from 1 ruble to as much as 7.50. Another glaring example is the duty on metal-cased watches, which is now a whopping sum of 100 rubles. Why this increase in customs duties when there has been so much talk of a reduction?

8. We have also received information to the effect that the Odessa customshouse is currently confiscating beef soup cubes. Are these customs agents acting within the new regulations, and if so, what are the grounds for such confiscation?

9. Am I correct in understanding that the customs duty on jeans will now be fixed at 15 rubles (along with pants of "other fabrics")?

I would greatly appreciate a response from you to these questions of paramount concern to people in the United States who send parcels to friends or relatives in the Soviet Union. A clarification of these issues is clearly in the itnerests of maintaining closer ties between our two countries.

I also hope to receive from you a copy of the new Soviet Customs Code as soon as it is published, and to be notified of any future changes in Soviet customs duties and regulations.

Thank you in advance for your cooperation.

Sincerely,

Vladlen Pavlenkov

USSR RETURN PARCEL SURVEY

From September to December of 1987 the USPS conducted a special survey of parcels returned by the Soviet Union to their senders in the United States. These parcels were returned ostensibly because they contained items violating Soviet customs regulations. The survey was conducted to find out if reasons for the returns were being provided and if parcels actually contained prohibited items.

In the first phase of the survey, the outer wrappings of more than 500 parcels returned from the Soviet Union were examined and the reasons for the return, as given by Soviet authorities, were recorded. The results of this phase are given in Table 1.

The second phase of the research, designed to see if returned parcels actually contained prohibited matter, was more complicated.

In order to comply with postal regulations protecting the privacy and security of mail, the Postal Service had to obtain the written permission of the U.S. senders to open and examine the contents of the surveyed parcels. And, to comply with postal regulations against delaying mail these parcels first had to be returned to the senders.

The senders were asked to sign a written form if they agreed to participate, and if so, their parcel was mailed back to the Postal Service at Postal Service expense. Permission was sought to open more than 500 parcels and was granted for some 143 of these.

The survey was conducted at the New Jersey International & Bulk Mail Center (NJI & BMC). Parcels returned to the NJI & BMC were opened and examined by postal specialists with knowledge of Soviet requirements. A U.S. Customs examiner was available to provide a second opinion. The results of this phase are found in Table 2.

Parcels were recorded in one of three categories: "apparent violation," "violation unclear," or "no apparent violation." Only those parcels which very clearly contained prohibited items were recorded in the category of "apparent violation." Whenever a violation was not absolutely clear, the parcel was recorded in the "violation unclear" category. An example would be a parcel which the Soviets claimed contained used clothing and the postal examiner could not tell whether the clothing was used or not.

As the attached tables indicate, 66% of the parcels examined fell in the "apparent violation" category, 29% in the "violation unclear" category, and 5% in the "no apparent violation" category.

As a result of this survey, the USPS has developed a list of problem contents and cautionary advice which it hopes will help reduce the risk of having parcels returned. Copies of this list have already been distributed to interested organizations and individuals, and additional copies are available upon request to the International Postal Affairs Department of the USPS.

The USPS will also use the results of the survey in further contacts with the Soviet Union to seek clarification of unclear prohibitions and to challenge what appear to be arbitrary returns.

Table 1

Explanations for Parcel Returns Given by USSR
Determined From Examination of Parcel Wrappings

USSR Explanation for Return	Odessa*	Moscow	Leningrad	Riga	Vilnius	Totals
Used Clothing	1	32	33	40	1	107
Magnetic Tape	2	9	7			18
Radio			1			1
Watch		13	16	1	1	31
Spare Parts		1				1
Over Quantity Limit	9	27	9	2	5	52
Hermetically Sealed	4	21	11	4	4	44
Medicine	1	4	4		1	10
Fabric	1	14	7		2	24
Thread		1	1			2
Yarn			1	4	1	6
Art. 19(8) UPU/CP**		1	10			11
Alcohol			1			1
Stamps	1					1
Seed			1			1
Non-conformity contents		1				1
Blood Pressure Mechanism			3			3
Animal Product (milk)			1			1
Prohibition 3.1.3 & .4***		9	4			13
Return Prohibited / Totals	148* / 167	9 / 142	2 / 112	14 / 65	11 / 26	184 / 512

* Odessa usually provides reasons for return on Bulletins of Verification (BV's) rather than on the parcel itself. These BV's are being separately analyzed.

** Refers to UPU Parcels Agreement provision concerning items whose import is prohibited in the country of destination.

*** 3.1.3 refers to parcels not intended for personal use; 3.1.4 refers to parcels sent by organizations or commercial firms to private individuals not accompanied by licenses.

Table 2

USSR RETURN PARCEL SURVEY

Findings for parcels examined 10/26, 11/16, & 12/14//87

USSR Explanation for Return	Apparent Violation	Violation Unclear	No Apparent Violation	Totals
Used Clothing	6	28	5	39
Magnetic Tape	7			7
Radio	2			2
Watch	11			11
Over Quantity Limit	24	4		28
Hermetically Sealed	28			28
Medicine	3	1		4
Fabric	6		1	7
Thread	1			1
Yarn	3			3
Military Toy		1		1
Blood Pressure Kit	2			2
Seed	1			1
Spare Parts		1		1
Records		2		2
Printed Matter		1		1
Return Prohibited	—	3	2	5
Totals	94	41	8	143

Parcels Returned by the Soviet Union

RESULTS OF SURVEY

Over a four-month period between September and December of 1987, the U.S. Postal Service conducted a sampling of parcels returned from the Soviet Union to find out why parcels are being returned and what Soviet prohibitions may be causing difficulties for mailers.

With the permission of senders, the Postal Service examined the contents of some 143 parcels. The following is a list of problem contents and cautionary advice to help reduce the possibility of having parcels returned.

1. Used Clothing. About 27% of the parcels examined were returned because the Soviets claimed they contained used clothing. It is recommended that clothing be left in the original wrapping where possible, and that price tags and store labels not be removed. Also, care should be taken to avoid sending discolored, stained, spotted or soiled items, even if they are newly purchased.

2. Exceed Quantity Limit. About 20% of the parcels examined were returned because the Soviets claimed the contents exceeded quantity limits. A copy of these limits is attached. The inclusion of two or more items of the same kind, for example, two or more shirts, trousers, skirts, dresses, or blouses, was apparently a frequent source of difficulty. Only one of each of these kinds of items is permitted. One shirt for an adult and one shirt for a child may be considered a violation.

3. Hermetically Sealed. About 20% of the parcels examined were returned because they contained foodstuffs or beverages in glass or hermetically-sealed containers. Coffee, tea, cocoa and spices in hermetically-sealed cans or jars were the most frequent examples of this problem. It is recommended that such items be removed from their original containers and sent in clear plastic containers with removeable lids. It may help to label the contents.

4. Watches. They are prohibited, whether they are inexpensive children's watches or adult time pieces.

5. Magnetic Tapes. Recorded or unrecorded magnetic tapes, video cassettes, spools with video tapes, video disk and other recording equipment, are prohibited.

6. Radios. They are prohibited.

7. Fabric. Yard goods or fabric of any kind is prohibited.

8. Yarn and Thread. They are prohibited.

9. Blood Pressure Measuring Kits. These items have been returned as prohibited.

10. Records. Records are permitted unless Soviet customs decides that they may prejudice public order or public morals. How permissible records are distinguished from prejudicial records is not specified, so caution is recommended.

11. Printed Matter and Sheet Music. These are also permitted, unless considered prejudicial to the political or economic interests of the USSR, or to public order or public morals. Also, sheet music of a religious nature may be prohibited.

12. Seeds. Seeds for sowing are prohibited.

13. Toys of a Military Nature. Prohibited.

14. Medicine. Ointments, creams, disinfectants, all medicaments are prohibited.

There may well be inconsistencies in the manner in which the Soviets enforce their prohibitions. Undoubtedly there are instances in which these prohibitions are misapplied. One example of this would be returning parcels with the claim that they contain used clothing when in fact the clothing is new. No advice that the U.S. Postal Service can give will resolve all these difficulties. We are attempting here to provide the best information and guidance we reasonably can about Soviet regulations and their enforcement as indicated by our special survey of returned parcels. We will also continue seeking clarification from Soviet authorities where prohibitions and their application are unclear.

It should also be noted that this survey would not have been possible without the patience and cooperation of the mailers who agreed to send their returned parcels back to the Postal Service for examination and comparison of contents with Soviet prohibitions. Many other mailers will benefit from the extra effort made by these senders. The U.S. Postal Service appreciates their cooperation.

NOTE.--For safety and security reasons, false names are used in the following testimony.

TESTIMONY
TIBETAN REFUGEES
HIMACHEL PRADESH DHARAMSALA, INDIA
AUGUST 16, 1989

NAME: CHOEDON DATE: June, 1988 AGE: 33 Sex: Female

Sent a letter to her father, Tsering, in Tibet, who lives in Churtri Gang, an area north of the Barkhor. As a result of receiving the letter he had to undergo thamzing (struggle session) during a neighborhood meeting. He was informed his house was to be confiscated for receiving the letter from India. He was also told to write a confession letter and only then he would be allowed to stay in the neighborhood compound. Since then Choedon never sends letters by the post but most of the time "by-hand" if there is any person going to Tibet. If nobody is leaving then there is no communication link between the father and the daughter.

NAME: Una Taring alias Yangchen, DATE: Sometime in 1983,

SEX: Female, MOTHER: Taring Amala

Yangchen was expelled from her job as a record-keeper because of receiving a letter from abroad. She was made to fend for herself without a job. As a result she came to India.

NAME: Dhondup Tsering SEX: Male

Worked as an assistant manager of sales and marketing in Tourism Office in Tibet. He received letters and packets from abroad. Two packets containing magazines from California were not given to him. Several opened letters and torn packets were given to him. In April '88, PRC authorities issued instructions for writing letters abroad. Any letters that had to be sent abroad had to pass through General Manager's scrutinization.

NAME: Lhundup, SEX: Male

He arrived in India in mid 1980's. He sent a letter to his parents in Lhasa and they received a notice from Lhasa City Police threatening to imprison them if they receive any other letters from Dharamsala. Parents now use other person's address for corresponding. He received a letter from his parents that he should write the address either in English or French. No Chinese should be used on the address.

Associated Graphoanalysts

Charles Gersin, Director
Certified Master Graphoanalyst
Qualified Document Examiner

366 Blue Hill Avenue
Milton, Mass. 02186
(617) 696-8142

REPORT

Subject: Examination of Questioned Handwriting.

Date: May 27, 1985

Examiner: Charles Gersin

Attention: Alexey Semyonov, 54 Maplewood Ave, Newton Ctre, MA 02159.

To determine whether alterations were made in the handwriting on mailed post cards the following cards were submitted for examination and comparison:

Fourteen cards addressed to Mrs. Bonner, 54 Maplewood Ave, Newton Ctre, Mass, 02159, bearing the following dates: 2/1/85, 2/4/85, 2/6/85, 2/12/85, 2/13/85, 2/16/85, 2/20/85, 3/1/85, 3/13/85, 3/15/85, 3/18/85, 4/3/85, 4/17/85, and 4/21/85, which bears the questioned handwriting, were examined and compared under high-power magnification.

THE FINDINGS:

Cards #10, 18, 22, each has a dot placed after the number followed by a wide space before the date is handwritten.

Cards #11 and #26, each have no dots after the number but the characteristic wide space is left before the date is handwritten.

Card #21 does have the customary dot after the number but the characteristic wide space is filled with a #2 which is crowding the dot, and the #2 appears to have been added later without regard for the wide space that is habitually left by the writer on the other cards. This #2 seems to be out of place and out of character because its formation is slightly different from the usual pattern of the original writer.

On line 2 of card #21, on the far right side aletter "u" appears to be overwritten and changed to a letter "o".

On the third line from the bottom of card #21, right of center, a letter "w" with 2 sharp angles at the bottom and a sharp angle at the top appears to have been changed by overwriting the sharp angled top with a loop which changes the appearance of the "w" and its meaning.

The final downstroke of this "w" appears to have been erased and leaving a mark to signify a dot.

Another erasure appears to have been made in the change on line 2 in the change of the letter "u" to a letter "o".

OPINION:

Based on these findings it is my professional opinion that the above changes were made by someone other than the original writer.

Charles Gersin
Associated Graphoanalysts

Charles Gersin

N 18. 15 января 85.

N 21. 21 января.

N 22. 3 апреля 85.

N 26 17 апр 85. 1
сегодня ночью
был отправлен
[illegible] больше

№21 21 апреля. Здравствуйте, наши
родные, маленькие. Вот и прошла
неделя! Мы сегодня делали ген-
деральную уборку в нарядной кар-
тинке и удивлялись появлению
красоты в нужде – там действует
весна, что несмотря на все и
всякий мусор быт. берет свое
и не всегда быт напрасен,
особенно когда он как у нас
главное проявление жизни.
Читаю я нашему-то кину
– все Зы камера мурлыкает не-
интересные и все время про
войну в тональности которая
ели не всегда понятна, но всегда
уже приятна. Ну в № вечер
две прибавленных и вашу-бонду с
ев и какой-то Ежик. Инспектор
Как я помню из книжки дорет
– в любви интеллигентный чел
обнаружила, хотя это было очень
давно непонятно. Мы получи-
ли вашу телеграмму а вот по-
лучили ли вы две посылки день
рождения подарков не знаем
Когда получите напишите. У нас
Холодно и не очень тепло но пусть
Текут и сие тоже и ваше се-
чение. А нам у вас. Будьте здоро-
вы все. Целуем крепко всех. Наша

№22. 3 апреля 05. Разные дни. Вчера получили открытку от мамы, где сказано что подарки ко дням рождения Сашенькиным и Таши мы получили. Я очень рада что они дошли и дошли довольно быстро. Мы живем тихо и как-то нерадостно. Сейчас уже второй день (а вчера еще два вечера) смотрим 4-х серийный детектив по Фр. Грину "Самбурский экспресс" - это был один из первых детективов и я наверное многое позабыла или сюжет изменился многое переделали, но я смотрю совсем как нечто незнакомое - смотреть интересно-фильм вечерний. Сегодня сделали большую работу - убрали балкон и переложили землю под цветы во всех цветах, но самое то-бы то не было еще! очень рано еще мало через месяц, м.б. через 3 недели - не раньше. В городе снег почти стаял дни то ясные и солнечные то пасмурные ветренно, но воздух пахнет весной и лицу от него уже никуда не деться. Это очень хорошо, что в природе за зимой всегда неизбежно приходит весна. Будьте все здоровы. Особенно не спешите. Целую вас. Целую. Мама

№26 17 апр 86. Мои дорогие родные! Сегодня получили два ваших письма. Твои открытки - от 13/III и 22/III. Мы все твои вопросы - уже получили ответы из моих телеграмм вы и я из ваших. Мама я очень жду тебя и хочу тебя и тут и Дети переживают думают что еще тут будет (тут еще что-либо в этом роде. Я только боюсь что тебя будешь сама мать Аня и Катя (не говорю о тех кто себя уже считают взрослыми, да и Катя только - только не для нас с тобой) тут будешь видеть хорошее, то тебя тянет сделать что-нибудь плохое. Для примера, то Мама узнала и была в б-це уже узнали из твоей открытки. Ну, а Таня и Алена будь в неведении - зачем их мучить. Ставят, что будет тебя от тебя. И от этого все неприятности неудобства - а их не надо. Ты просила наше "добро" на твой приезд - я не только его дало, но и очень жду тебя в конце дел - (в начале сентября. А сейчас вам всем надо успокоиться и спокойно прожить этот месяц. Мы спокойно прожить 25-го едем на праздники что Таня 25-го едем на праздники, говорю не очень поняли какой. Да это и неважно - праздник конца - без них скучно. Ну на сегодня пусть будет. Да тебя прижимо, сегодня еще не сделала не играть на улице (наши дети отдыхают) были в кино - сделали "прививку" и напугали - здорово. Целуем вас. Будьте здоровы. Целуем Мама

U.S. Department of Justice

Federal Bureau of Investigation

Office of the Director — Washington, D.C. 20535

August 6, 1985

Honorable Benjamin A. Gilman
House of Representatives
Washington, D. C.

Dear Congressman Gilman:

In your July 2, 1985 letter, you requested that our Laboratory Division conduct an analysis of certain documents you forwarded to us. The requested analysis was conducted by the Document Operations and Research Unit and their report is enclosed for your perusal. We are also returning the documents which were examined.

Your letter also requested that our Document Examiner be available to testify about his analysis at a joint hearing of the Foreign Affairs and Post Office and Civil Service Committees. We will be happy to comply with that request subject to the arrangement of a mutually convenient hearing date. Our Congressional Affairs Office will coordinate the arrangements with your staff.

Sincerely yours,

William H. Webster
Director

Enclosures (20)

1 - Honorable Gerry Sikorski - Enclosures (6)
House of Representatives
Washington, D. C.

1 - Honorable Gus Yatron - Enclosures (6)
House of Representatives
Washington, D. C.

FBI LABORATORY

FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

To: Mr. William M. Baker
Assistant Director
Office of Congressional and Public Affairs

July 22, 1985

FBI FILE NO.

LAB. NO. 50716093 D WJ

Re: LETTER FROM HOUSE FORRIGN AFFAIRS AND POST OFFICE AND CIVIL-SERVICE COMMITTEES

Examination requested by: FBIHQ

Reference: Letter dated July 16, 1985

Examination requested: Document

Specimens received: July 16, 1985

Specimens:

Five postcards bearing Russian handwriting further described as follows:

SPECIMEN	NUMBER
Q1	N18
Q2	N19
Q3	N21
Q4	N22
Q5	N26

ALSO SUBMITTED:

Two photocopies of typewritten notations

One photocopy each of two newspaper articles

Photocopy of report dated 5/27/85

Three photographs

Enclosures (13)

(over)

Result of examination:

It was determined that the third character of the last word appearing on the second line of writing on specimen Q3 was altered by the addition of an entry and as a result of a disturbance of the paper fibers which removed the lower right hand portion of the character.

It was determined that the last character of the fourth word appearing on the twenty-ninth line of writing on specimen Q3 was altered as a result of a disturbance of the paper fibers which removed the lower right portion of the character. Additionally, a portion of the last character was overwritten and an entry may have been added; however, a final determination was not reached as to whether the overwriting and possible added entry were the result of an attempt to alter the character.

It was determined that a disturbance of the paper fibers occurred in the area separating the third and fourth words appearing on the twenty-ninth line of writing on specimen Q3. The disturbance removed portions of adjacent characters.

It was determined that the second or third character of the second from last word appearing on the nineteenth line of writing of specimen Q3 was altered as a result of the addition of an entry.

It was determined that nominally horizontal and vertical lines appearing in and under the first line of writing on specimen Q3 were altered as a result of a disturbance of the paper fibers. The disturbance removed portions of adjacent characters.

It was noted that the numeral "1" appearing within the second "21" entry appearing on the first line of specimen Q3 is divergent from the remaining numeral "1" entries appearing on specimen Q3 and on specimens Q1, Q2, Q4 and Q5. Furthermore, a divergent handwriting characteristic was noted in the last character of the fourth word appearing on the twenty-ninth line of specimen Q3.

The presence and nature of the alterations and divergent handwriting characteristics suggest they were prepared by a different writer. However, due to the limited nature of the questioned entries, unexplained variations and insufficient comparability, a final determination was not reached.

The submitted specimens, three photographs depicting alterations to specimen Q3 and translations of specimens Q1 through Q5 are enclosed.

TRANSLATION FROM RUSSIAN

Pictorial post card, postmarked Gorkiy, 3/197/85, is addressed to Mrs. Bonner, 54 Maplewood Ave., Newton, Ma. 02159, USA. The return address reads:

Bonner
Gagarina 214/3
Gorkiy 137
USSR

No. 18
March 13, 1985

Dear Mommy, my sweet babies-kids. We're alright, and outside, though slowly but surely, the spring is coming; the days are already longer and, for the most part, they're dazzling bright. For three days now we've been listening to the beautiful eternal music on TV. Right now I'm reading a book - translated for

SPECIMEN QI

the first time into Russian - by F. Varfel about Armenian Genocide in 1915, or, rather, resistance to it. Called "Musa-dagh's 40 Days" and published in Yerevan in 1984, it was sent to me for my birthday by Lid. Karp.(?) Of course it's no light reading, but it's kind of clarifying and, despite the madness of the tragedy itself, heartening. We're feeling quite well. Like all my life long I come to life with a bright day and simply with the fact that it isn't the thought of winter looming but rather the hope for the summer shimmering ahead - that's all about the weather and nothing else, but it also is nature - not weather - it's that universal ether that surrounds us. Mommy, on the postcard you see the Strastnaya Square of my childhood as I remember it, and from the streetcar's (.?.) - from where I took it to Aunt Rona's on Gavrikov and then also from here to her place on Bogin - my first tours of Moscow on my own - and, in the interior, a courtyard where my school is. Kisses from us. Kisses, Mother

TRANSLATION FROM RUSSIAN

Pictorial postcard, postmarked (.?.), is addressed to Mrs. Bonnar, 54 Maplewood Ave., Newton, Ma. 02159, USA. The return address reads:

Bonnar
Gagarina 214/3
Gorkiy 137
USSR

No. 19 March 18, 1985

My dear, darling, sweet Mommies and children. We live quite serenely, so quietly that it can't be more quiet. After several clear days, it has again snowed here today, and if you look outside the window you get the impression the spring is far and far away. But since my daughter's birthday is five days away, it means the spring will come no matter what. On gloomy

SPECIMEN Q2

days like today I must literally give myself a swift kick to overcome my laziness and go out at least for a short time. Of course if there was some need, this forcing yourself to get dressed and go outside would make it easier. Life is an abominable thing when all the responsibility is to feed two people three times a day and all the rest of the time is to find something to do, for it's impossible to count reading or sewing a button as being such. And books like "Mose-dagh" come out seldom. Mommy, you're saying "knitting," but for whom and what for when nothing is needed - there isn't any need for anything. Oh, well - I got going and wrote all kinds of unnecessary things. It's better I go and mail this postcard - that's a task. There is no need to go shopping - we were at the market yesterday. Kissing you all and bye. Kisses from us. Kisses, Mother

TRANSLATION FROM RUSSIAN

Postal card, postmarked Gorgiy, 4/7/83, is addressed to Mrs. Bonner, 84 Maplewood Ave., Newton, Ma. 02159, U.S.A. The return address reads:

Bonner
Gagarina 214/3
Gorkiy 137
USSR

Kisses, Andrey

No. 21. April 21. My sweet darlings. Well April has come and gone. Today we were doing a major clean up in the front room and engaged in beautifying the kitchen - the spring is acting in such a way that, in spite of everything else and all kinds of thoughts, life gets it way; and everyday life isn't always unpleasant especially when it, as here, is the main manifestation of life. I'm now reading some nonsense - all three magazine

SPECIMEN 03

issues are boring and always about war in a tone which I don't always understand, let alone, is pleasant to me. But there're two "problem" things in "Novyy Mir" - Bondarev and some Nain (?) - "Imitator," as I've gathered from my friends' letters - they are discussed by intelligentsia in Moscow, though it's incomprehensible why discuss them there. We received your telegram, but we don't know if you received the two parcels for the day of birthday presents. When you get them, let us know. Although it isn't quite warm here, brooks are flowing and the snow is melting and the sun is shining. And how is it down your way? Best regards to everybody. Kisses from us. Kisses, Mother

TRANSLATION FROM RUSSIAN

Postal card, postmarked (.?.), is addressed to Mrs. Bonner, 54 Maplewood Ave., Newton, Ma. 02159, USA. The return address reads:

Bonner
Gagarina 214/3
Gorkiy 137
USSR

No. 22. April 3, 1985. My dearest. The day before yesterday we received a postcard from mother saying that you had received the presents for Sasha's and Tanya's birthdays. I'm very happy to hear that they even got there rather fast. We live quietly and unostentatiously somehow. It is the second day (two more evenings to go) we're watching a four-series detective show based on Gr. Green's "Istanbul Express" - it was one of my first American detective stories and I probably forgot many things

SPECIMEN Q4

or the script writers changed many things, but I view it as something new - it's interesting to watch it - it's a Hungarian movie. Today we've done a big job - cleaned up our balcony and turned over the soil in all flower boxes, but it's too early for planting anything. I think, I'll do it in a month, maybe in 3 weeks - no sooner! In the city* the snow has nearly all melted; the days are now clear and sunny, now overcast, windy but the air smells of spring and the world has no place to hide itself from it anymore. That's very good that at least in the nature, like it or not, the spring follows winter. Best regards to all. Don't harry, mommy. Kisses from us. Kisses, Mother

Translator's note: It appears that the first letter "g" of the word "city" has been superimposed over the letter "o", which if preceded by the letter "g" would be part of the word "garden."

TRANSLATION FROM RUSSIAN

Postal card, postmarked Gorkiy, 47/7/85, is addressed to Bonner, 94 Maplewood Ave., Newton, Ma. 02159, USA. The return address reads:

Bonner
Gagarina 214/3
603137 Gorkiy 137
USSR

No. 26 April 17, 1985. My dear darlings. Today I received your two, from Mommy, post cards of March 19 and March 22. Well all your questions already got their answers from my telegrams; you and I from yours. Mother, I'm waiting for you most anxiously, and I want you and the children to stop thinking that it will be harder for me or us or something of this sort. I only fear that when, instead of Sasha, Motya, Anya, and Katya (I'm not talking about those who already think they're adults and there is one - only not to us and you) you'll only be seeing us, life will seem

SPECIMEN Q5

to be rather empty to you. As an example, the fact that Masha fell down and was in a hospital we learned from your post card. And as for Tanya and Alesha, well at heart they can't imagine they'll be living again so far away from you. And you get all this irritability, nervousness - who needs it. You've asked for our "okay" for your coming here - I'm not only giving it but am also expecting most anxiously to see you toward the end of the summer - the early part of September. And now all of you should calm down and live quietly through these months. We know that on the 25th Tanya is going away for the holidays, but we didn't quite get which one. Well it isn't important - holidays are fine, for it's boring without them. We both are feeling well to date; today we even went to the movies despite the scum in the street (three illegible words*). We saw "Prekhindiada" with Kalyashnyy - well done. Kisses from us. Bye. Kisses, Mother

- 2 -

*Translator's note: Three words may have been written in parenthesis; the words were overwritten, rendering this portion illegible.

99TH CONGRESS
2D SESSION

H. CON. RES. 384

Expressing the sense of the Congress concerning the Soviet Union's continued interference with postal communications between the United States and the Soviet Union.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 15, 1986

Mr. GILMAN (for himself and Mr. FRANK) submitted the following concurrent resolution; which was referred jointly to the Committees on Foreign Affairs and Post Office and Civil Service

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CONCURRENT RESOLUTION

Expressing the sense of the Congress concerning the Soviet Union's continued interference with postal communications between the United States and the Soviet Union.

Whereas normal postal relations between the residents of the United States and the Soviet Union serve an important and useful purpose toward mutual understanding between both nations, thereby furthering the cause of peace in the world;

Whereas the integrity of the mail service between the United States and the Soviet Union is being called into question by mailers in the United States who assert that postal items are systematically not being delivered to various addresses and addressees in the Soviet Union;

Whereas the nondelivery of mail which is deliverable as addressed and which does not contain prohibited articles is a violation by the Soviet Union of internationally recognized human rights guaranteed to all persons by Article 12 of the Universal Declaration of Human Rights, and is also a violation by the Soviet Union of the provisions of the Helsinki Final Act calling for the freer flow of information between signatory states;

Whereas such nondelivery also violates the Acts of the Universal Postal Union;

Whereas the Congress of the United States has on several occasions addressed this issue and has collected voluminous evidence of Soviet postal malfeasance, and Members of Congress continue to receive complaints of such malfeasance to the present time;

Whereas none of the letters sent in a special mailing to Dr. Andrei Sakharov by our colleagues Senators Boren, Bradley, Cohen, D'Amato, and Denton, and Representatives Biaggi, Courter, Frank, Gilman, Lagomarsino, and Lowery were delivered by Soviet postal employees;

Whereas postal service serves as a lifeline for individuals living within Soviet Bloc nations; and

Whereas the Universal Postal Union Congress in Hamburg, Germany, adopted 5 resolutions in July 1984 in response to Soviet postal malfeasance: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress—

(1) that the President—

(A) through the Secretary of State, should express to the Government of the Soviet Union

the disapproval of the American people regarding innumerable instances of Soviet violations of the above-mentioned international agreements;

(B) should raise the issue of Soviet noncompliance with the above-mentioned agreements at the upcoming sumnit meeting; and

(C) should, through the Secretary of State, raise the issue of Soviet violation of the Helsinki Final Act at the follow-up meeting of the Conference on Security and Cooperation in Europe scheduled to convene in Vienna in November 1986; and

(2) that the United States Postal Service—

(A) should increase its efforts in combatting Soviet postal malfeasance; and

(B) should undertake a full investigation with regard to the undelivered letters sent to Dr. Andrei Sakharov by 11 Members of Congress, and inform the Congress, as well as the Universal Postal Union, of its findings.

○

23-259 (56)